

THE VALE OF GLAMORGAN COUNCIL

Town and Country Planning Act 1990
Planning and Compulsory Purchase Act 2004
The Town and Country Planning (Development Management Procedure) (Wales)
Order 2012

REFUSAL OF PLANNING PERMISSION

Agent:
Mr. Geraint John
Geraint John Planning Ltd
Office 16 (House 1, 2nd Floor)
The Maltings
East Tyndall Street
Cardiff
CF24 5EA

Applicant:
Mr. Ahmed
Silver Crescent Developments Ltd
c/o Agent

Erection of enclosure above existing car parking spaces at Pen Y Garth Mansion, 2, Stanwell Road, Penarth

In accordance with the application and plans registered on 23 January 2020 the Council in pursuance of its powers under the above mentioned Act and Order hereby **REFUSES TO PERMIT** the proposed development for the following reason(s):

1. By reason of its prominence within the street scene along Stanwell Road and the wider Penarth Conservation Area, and its materials and utilitarian design, the proposed enclosure is considered to be an incongruous addition to the existing site, which would detract from the current openness of the site, setting of the adjacent protected trees and surrounding street scene and would fail to reflect the context of the site and would not preserve the character of this part of the Penarth Conservation Area. The development would therefore be contrary to Policies MD2 (Design of New Development), MD5 (Development within Settlement Boundaries), MD8 (Historic Environment) and SP10 (Built and Natural Environment) of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, as well as the adopted Penarth Conservation Area Appraisal and Management Plan. The proposal would also be contrary to national policy and guidance contained within Planning Policy Wales (Edition 10), Technical Advice Note 12 (Design) and Technical Advice Note 24 (The Historic Environment).

Dated: 19 March 2020

M. J. Goldsworthy

Head of Regeneration and Planning

**IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES
ATTACHED TO THIS FORM.**

Note for applicant/agent

THESE NOTES SHOULD ALWAYS BE REPRODUCED WITH
COPIES OF THE DECISION NOTICE

NOTES

Notification to be sent to an applicant when a Local Planning Authority refuse planning permission or grant it subject to conditions.

Appeals to the Welsh Government:

- If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- If you want to appeal, then you must do so within the statutory period using a form which you can get from The Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff CF10 3NQ or you can access their website here: <https://gov.wales/planning-appeals> . The statutory period for appeal submissions are dependent on the type of appeal and the circumstances, detailed below.
- Appeals in respect of the;
 - Householder and 'minor commercial' development must be received within **12 weeks** from the date of the decision notice;
 - Advertisement consent applications must be received within **8 weeks** from the date of the decision notice; and,
 - Other types of planning application must be received within **6 months** from the date of the decision notice.
- The Welsh Government can allow a longer period of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Welsh Government need not consider an appeal if it seems that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any Development Order and to any directions given under a Development Order.
- In practice, the Welsh Government does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by them.

Purchase Notices:

- If either the Local Planning Authority or the Welsh Government refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a Purchase Notice on the Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

PLEASE NOTE: THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

BUILDING REGULATIONS
LISTED BUILDING LEGISLATION
HIGHWAY LEGISLATION

IF PLANNING CONSENT HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

Please quote the application number in all correspondence